

EXHIBIT A

Aylesworth, Samuel

From: Aylesworth, Samuel
Sent: Thursday, October 22, 2015 4:17 PM
To: 'Ong, Julia'
Subject: RE: Soto v. City of Cambridge - conference / request for LR 37.1 conference
Attachments: Affidavit of Robert C. Haas.pdf

Julia,

As you know, the Court's September 21, 2015 Scheduling Order (the "Scheduling Order") required the parties to discuss the status of the City's prohibition on the distribution of noncommercial leaflets on parked vehicles located on the City's public streets. This email shall constitute my compliance with the Court's Order.

Pursuant to and in compliance with the Court's Scheduling Order, I intend to file the attached Affidavit of City of Cambridge Police Commissioner Robert C. Haas describing the City's custom, policy or practice on the City's prohibition of the distribution of noncommercial leaflets on parked vehicles located on the City's public streets. As the Court ordered the parties to attempt stipulate as to these facts prior to filing a joint supplementation of the factual record (Hearing Transcript p. 34), please advise me whether you will stipulate to these facts.

Pursuant to Local Rule 37.1(a), this is another request to hold a discovery conference. I am reiterating my objection to your service of written discovery on my client and my request that you withdraw the requests in their entirety.

Finally, the Court explicitly ordered the parties to indicate whether, in light of the facts, they wish to file supplemental briefs addressing whether there is a live case and controversy. Your October 9, 2015 Statement of Supplemental Authority in Support of Plaintiff Paula F. Soto's Motion for Summary Judgment was filed without consideration of the supplemental facts or conferring with me about a briefing schedule and is in direct contravention of the Court's Order. I will file a brief in response to your submission within thirty (30) days of the October 26, 2015 deadline set by the Court. Please note my objection to your failure to proceed in compliance with the Court's Order.

Regards,
Sam

Samuel A. Aylesworth
Assistant City Solicitor
City of Cambridge
795 Massachusetts Avenue
Cambridge, MA 02139
617-349-4121 (phone)
617-349-4134 (fax)

From: Ong, Julia [mailto:Julia.Ong@wilmerhale.com]
Sent: Thursday, October 15, 2015 4:27 PM
To: Aylesworth, Samuel <saylesworth@cambridgema.gov>; Williams, Chaloea <Chaloea.Williams@wilmerhale.com>
Cc: Prussia, Kevin S <Kevin.Prussia@wilmerhale.com>; MSegal@aclum.org
Subject: RE: Soto v. City of Cambridge - conference

Sam,

We don't think a discussion is necessary as the record is clear that the City has a policy of prohibiting placing noncommercial leaflets on publicly parked cars. The City has never stated otherwise. If the City has a new position, it can inform us via email. There is no need for any further delay. As the Court explained, "the ball is really in the City's court to come out and say whether or not this is [its] policy, and if so, where it is reflected." Hearing Tr. at 35:1-3.

Regards,
Julia

Julia Ong | WilmerHale

60 State Street
Boston, MA 02109 USA
+1 617 526 6744 (t)
+1 617 526 5000 (f)
julia.ong@wilmerhale.com

Please consider the environment before printing this email.

This email message and any attachments are being sent by Wilmer Cutler Pickering Hale and Dorr LLP, are confidential, and may be privileged. If you are not the intended recipient, please notify us immediately—by replying to this message or by sending an email to postmaster@wilmerhale.com—and destroy all copies of this message and any attachments. Thank you.

For more information about WilmerHale, please visit us at <http://www.wilmerhale.com>.

From: Aylesworth, Samuel [mailto:saylesworth@cambridgema.gov]

Sent: Thursday, October 15, 2015 3:03 PM

To: Ong, Julia; Williams, Chaloea

Cc: Prussia, Kevin S; MSegal@aclum.org

Subject: RE: Soto v. City of Cambridge - conference

Julia,

I'm sorry, I'm not able to confer today on this or tomorrow afternoon, as I mentioned to you previously. We agreed over a week ago that we would hold this conference tomorrow morning. I think at this point given our scheduling conflicts that we should file a joint request with the Court to extend the date to jointly supplement the factual record. I would suggest that we propose November 9th, a two-week extension.

Please advise.

Thanks,
Sam

Samuel A. Aylesworth
Assistant City Solicitor
City of Cambridge
795 Massachusetts Avenue
Cambridge, MA 02139
617-349-4121 (phone)
617-349-4134 (fax)

From: Ong, Julia [mailto:Julia.Ong@wilmerhale.com]

Sent: Thursday, October 15, 2015 10:31 AM

To: Aylesworth, Samuel <saylesworth@cambridgema.gov>; Williams, Chaloea <Chaloea.Williams@wilmerhale.com>

Cc: Prussia, Kevin S <Kevin.Prussia@wilmerhale.com>; MSegal@aclum.org

Subject: RE: Soto v. City of Cambridge - conference

Sam,

In order to not delay the meet and confer any longer, we can be available anytime today except from 12-1pm or 2-3 pm, and alternatively, anytime tomorrow afternoon starting at 2 pm. Kevin and I will be traveling to the West Coast for depositions in another matter on Monday and will be unavailable for the entire week. Additionally, Chaloea will be traveling for business all week for another matter. Thus, in order to meet the Court's deadline of Monday, October 26 to file supplemental stipulated facts, we request a meet and confer by tomorrow.

Please let us know immediately what time works for you.

Thanks,

Julia

Julia Ong | WilmerHale

60 State Street

Boston, MA 02109 USA

+1 617 526 6744 (t)

+1 617 526 5000 (f)

julia.ong@wilmerhale.com

Please consider the environment before printing this email.

This email message and any attachments are being sent by Wilmer Cutler Pickering Hale and Dorr LLP, are confidential, and may be privileged. If you are not the intended recipient, please notify us immediately—by replying to this message or by sending an email to postmaster@wilmerhale.com—and destroy all copies of this message and any attachments. Thank you.

For more information about WilmerHale, please visit us at <http://www.wilmerhale.com>.

From: Aylesworth, Samuel [mailto:saylesworth@cambridgema.gov]

Sent: Thursday, October 15, 2015 9:11 AM

To: Williams, Chaloea

Cc: Prussia, Kevin S; MSegal@aclum.org; Ong, Julia

Subject: RE: Soto v. City of Cambridge - conference

Chaloea,

I'm not available at 2pm tomorrow. How about 10AM on Monday the 19th?

Sam

Samuel A. Aylesworth
Assistant City Solicitor
City of Cambridge
795 Massachusetts Avenue

Cambridge, MA 02139
617-349-4121 (phone)
617-349-4134 (fax)

From: Williams, Chaloea [mailto:Chaloea.Williams@wilmerhale.com]
Sent: Tuesday, October 13, 2015 3:15 PM
To: Aylesworth, Samuel <saylesworth@cambridgema.gov>
Cc: Prussia, Kevin S <Kevin.Prussia@wilmerhale.com>; MSegal@aclum.org; Ong, Julia <Julia.Ong@wilmerhale.com>
Subject: RE: Soto v. City of Cambridge - conference

Sam,

We can call you at 2pm on Friday, October 16 for the meet and confer. Please let us know if that does not work for you.

Thanks,
Chaloea

Chaloea Williams | WilmerHale
60 State Street
Boston, MA 02109 USA
+1 617 526 6233 (t)
+1 617 526 5000 (f)
chaloea.williams@wilmerhale.com

Please consider the environment before printing this email.

This email message and any attachments are being sent by Wilmer Cutler Pickering Hale and Dorr LLP, are confidential, and may be privileged. If you are not the intended recipient, please notify us immediately—by replying to this message or by sending an email to postmaster@wilmerhale.com—and destroy all copies of this message and any attachments. Thank you.

For more information about WilmerHale, please visit us at <http://www.wilmerhale.com>.

From: Aylesworth, Samuel [mailto:saylesworth@cambridgema.gov]
Sent: Wednesday, October 07, 2015 9:41 AM
To: Ong, Julia
Cc: Prussia, Kevin S; Williams, Chaloea; MSegal@aclum.org
Subject: RE: Soto v. City of Cambridge - conference

Good morning Julia,

Thanks, let's hold our conference on Friday, October 16th at 10am or another time that morning if that specific time doesn't work for you.

As for the discovery requests that you've propounded, the Court's Order makes no mention of allowing such requests. Indeed, at the hearing on September 21st, Magistrate Judge Dein expressly rejected reopening discovery on this issue. Furthermore, there is no basis in the rules of civil procedure for my client to respond to these requests within six (6) days of their service.

I'm happy to discuss further at our conference next week.

Thanks,
Sam

Samuel A. Aylesworth
Assistant City Solicitor
City of Cambridge
795 Massachusetts Avenue
Cambridge, MA 02139
617-349-4121 (phone)
617-349-4134 (fax)

From: Ong, Julia [mailto:Julia.Ong@wilmerhale.com]
Sent: Tuesday, October 06, 2015 1:02 PM
To: Aylesworth, Samuel <saylesworth@cambridgema.gov>
Cc: Prussia, Kevin S <Kevin.Prussia@wilmerhale.com>; Williams, Chaloea <Chaloea.Williams@wilmerhale.com>; MSegal@aclum.org
Subject: RE: Soto v. City of Cambridge - conference

Hi Sam,

I am unavailable on October 13, but am available to confer on October 8 or 9th in the afternoon. Alternatively, I am available in the afternoon on October 15th or the morning of October 16th. Per the Court's order, please provide the City's responses to Ms. Soto's supplemental discovery requests by October 12.

Best,
Julia

Julia Ong | WilmerHale
60 State Street
Boston, MA 02109 USA
+1 617 526 6744 (t)
+1 617 526 5000 (f)
julia.ong@wilmerhale.com

Please consider the environment before printing this email.

This email message and any attachments are being sent by Wilmer Cutler Pickering Hale and Dorr LLP, are confidential, and may be privileged. If you are not the intended recipient, please notify us immediately—by replying to this message or by sending an email to postmaster@wilmerhale.com—and destroy all copies of this message and any attachments. Thank you.

For more information about WilmerHale, please visit us at <http://www.wilmerhale.com>.

From: Aylesworth, Samuel [mailto:saylesworth@cambridgema.gov]
Sent: Thursday, October 01, 2015 4:40 PM
To: Ong, Julia
Subject: Soto v. City of Cambridge - conference

Hi Julia,

As you know the Court required the parties to confer on Monday, October 12. However, my office is closed that day as it is Columbus Day. Can we instead hold our telephone conference on Tuesday, October 13? Shall we say 4pm?

Thanks,
Sam

Samuel A. Aylesworth
Assistant City Solicitor
City of Cambridge
795 Massachusetts Avenue
Cambridge, MA 02139
617-349-4121 (phone)
617-349-4134 (fax)